5235250/2021/ADMIN-DWA,PAO-FIN01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – WRD- Processed the bills for payment without proper scrutiny lead for excess payment of labour cess @1% to the agency in violation of Government instructions for the work " Restoration of breached Weir on the right side of Nittur Minor Irrigation Tank near Bramhanapalli(v), Tadipatri(M), Ananthapuramu Dist taken up by Water Resources Department, IB Division, Anantapuramu - Initiation of Disciplinary action against Sri K.Pavan Kumar, the then Senior Assistant, IB Division, Anantapuramu now Senior Assistant, IB Division, Penukonda for lapses committed by him - Departmental proceedings under Rule 20 of the A.P Civil Services (Classification, Control & Appeal Rules, 1991- Articles of Charges - Issued.

FINANCE(ADMN-II, DWA, PAO) DEPARTMENT

G.O.Rt. No. 2004 **Dated:26.11.2021**

Read the following:-

1. Vigilance Report no.26(Cno.57-2/V&E/Engg/2018-1) of GA(V&E) Department dt:-09- 03-2021
2. U.O.Note.MJIR/886/VIG.II(V&E)/2021(1527898)-1 of WR(Vigilance-II(V&E)) Department dt:-31-10-2021.

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ORDER:

It is proposed to hold an enquiry against Sri K.Pavan Kumar, the then Senior Assistant, IB Division, Anantapuramu now Senior Assistant, IB Division, Penukonda in accordance with the procedures laid down in rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules , 1991 for his failure in processing of bills for payments without proper scrutiny.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I). A statement of the imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of witnesses by whom, list of documents by which, the articles of charge are proposed to be sustained are also enclosed (Annexure III and IV).

3. Sri K.Pavan Kumar, the then Senior Assistant, IB Division, Anantapuramu now Senior Assistant, IB Division, Penukonda is directed to submit his written statement of his defence within (10) days of the receipt of this order.

(P.T.O)

4. He is further informed that, if he does not submit his written statement of defence on or before the date specified in para 3 above, further action will be processed based on the material available.

5. Sri K.Pavan Kumar, the then Senior Assistant, IB Division, Anantapuramu now Senior Assistant, IB Division, Penukonda is further informed that if he/she does not submit his/her written statement of defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of rule 20 of Andhra Pradesh Civil Services (CCA) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex parte.

6. Attention of Sri K.Pavan Kumar, the then Senior Assistant, IB Division, Anantapuramu now Senior Assistant, IB Division, Penukonda, is invited to Rule 24 of the APCS (conduct) Rules 1991 under which no Government servant shall bring or attempt to bring any political or outside influence to bear up on any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that Sri K.Pavan Kumar is aware of such representation and that it has been made at his instance & action will be taken against him for violation of Rule 24 of AP. Civil Service (Conduct) Rules 1991.

7. The receipt of this G.O. may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GULZAR.N
SECRETARY TO GOVERNMENT(RM&FP)

To
Sri K.Pavan Kumar, the then Senior Assistant, IB Division, Anantapuramu now Senior Assistant, IB Division, Penukonda (Through the Water Resources (Vigilance-II(V&E)) Department)

Copy to:
Water Resources (Vigilance-II(V&E)) Department
(With a request to serve and return the acknowledgement and written statement of defence)
The Engineer-in-Chief(AW), Water Resources Department, Vijayawada
The Director of Works Accounts, A.P., Ibrahimpatnam
SF/SCs (1559854)

//FORWARDED :: BY ORDER//

SECTION OFFICER

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ANNEXURE – I

STATEMENT OF ARTICLE OF CHARGE FRAMED AGAINST SRI K.PAVAN KUMAR SENIOR ASSISTANT,IB DIVISION,ANATHAPURAMU, NOW SENIOR ASSISTNAT, IB DIVISION PENUKONDA.

That the said Sri K.Pavan Kumar have processed the bills for payment without proper scrutiny which lead for excess payment of labour cess @1% to the agency in violation of Government instructions for the work " Restoration of breached Weir on the right side of Nittur Minor Irrigation Tank near Bramhanapalli(v), Tadipatri(M), Ananthapuramu Dist taken up by Water Resources Department, IB Division, Anantapuramu.

This amounts to dereliction of duties and disobedience to the Government instructions. Thus he has violated Rule 3(1) of A.P.C.S. Conduct Rules 1964.

GULZAR.N
SECRETARY TO GOVERNMENT(RM&FP)

SECTION OFFICER

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ANNEXURE – II

STAEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLE OF CHARGE FRAMED AGAINST SRI K.PAVAN KUMAR SENIOR ASSISTANT,IB DIVISION,ANATHAPURAMU, NOW SENIOR ASSISTNAT, IB DIVISION PENUKONDA.

The said employee have processed the bills pertaining to the works taken up by the Water Resources Department, IB Division, Anantapuramu for the work " Restoration of breached Weir on the right side of Nittur Minor Irrigation Tank near Bramhanapalli(v), Tadipatri(M), Ananthapuramu Dist" without going through the orders issued by the Government through G.O.Ms no.111 of Labour Employment Training & Factories(Lab-II) Department dt:- 15-12-2009.

The then Senior Assistant have failed to discharge the statutory duty of verification and proper scrutiny of work bills while processing bills for payments with reference to the guidelines issued by the Government from time to time. The Senior Assistant has failed to identify the irregularities in labour cess for the works taken up by the Water Resources Department , IB Division, Anantapuramu and processed bills for payment of labour cess @ 1% without proper scrutiny in violation of Government instructions due to which excess amount of Rs.13,16,022/- was paid to the contractor/ agency and held responsible for loss of Government funds.

Thus he has violated Rule 3(1) of A.P.C.S. Conduct Rules 1964. This amounts to dereliction of duties.

Hence, the charge.

GULZAR.N
SECRETARY TO GOVERNMENT(RM&FP)

SECTION OFFICER

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ANNEXURE-III

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGE FRAMED AGAINST SRI K.PAVAN KUMAR SENIOR ASSISTANT,IB DIVISION,ANATHAPURAMU, NOW SENIOR ASSISTNAT, IB DIVISION PENUKONDA ARE PROPOSED TO BE SUSTAINED.

"NIL"

GULZAR.N
SECRETARY TO GOVERNMENT(RM&FP)

SECTION OFFICER

ANNEXURE – IV

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST SRI K.PAVAN KUMAR SENIOR ASSISTANT,IB DIVISION,ANATHAPURAMU, NOW SENIOR ASSISTNAT, IB DIVISION PENUKONDA ARE PROPOSED TO BE SUSTAINED

1. Vigilance Report no.26(Cno.57-2/V&E/Engg/2018-1) of GA(V&E) Department dt:-09- 03-2021.

GULZAR.N
SECRETARY TO GOVERNMENT(RM&FP)

SECTION OFFICER